SCHRAG: Zachary Schrag is interviewing judge Edward Northrop . We are in his chambers at the federal courthouse in Baltimore Maryland. It is June 8 , 2000, rock fell little past 10:00. I'd like to start a little with your background. You born in Chevy Chase Maryland and grew up there.

NORTHROP: I was born on Lennox Street which is the old old part of Chevy Chase Maryland, in 1911, June the 12th.

SCHRAG: Happy birthday. At that time I imagine that--of Chevy Chase like when you were growing up?

NORTHROP: Well there wasn't anything in Chevy chase. The old old part of Chevy Chase which was near the Chevy Chase Circle and the District line. Lennox Street is one of the earliest streets in Chevy Chase which was developed by the Chevy Chase Land Co. one of the first planned developments in the country. And this was the oldest part of Chevy Chase. The House where I was born was built probably around the early 19 hundreds if not before it was one of the oldest houses in Chevy Chase. It was on East Lennox Street.

SCHRAG: Did your father take the streetcar downtown down Connecticut Avenue?

Northrop: Yes, he did. He took the streetcar downtown to his office which was--he was general counsel of Southern Railway. The headquarters of the Southern Railway was in Washington D.C. on Pennsylvania Avenue.

SCHRAG: I imagine that Montgomery County as a whole was fairly undeveloped.

NORTHROP: Yes, it was undeveloped. The only parts that were developed were Bethesda--it had a hardware store, I don't believe it had drugstore--Silver Spring, and then Rockville, the county seat of Montgomery County Maryland.

SCHRAG: I'm asking because, of course, Metro developed these areas. I am trying to get to the before World War to picture.

NORTHROP: Right.

SCHRAG: Mostly you have a few bedroom communities right by the District line and these very sparsely settled areas of Montgomery County.

NORTHROP: A large part of the District of Columbia was unsettled.

SCHRAG: Just to skip ahead, when you first started--you went on to the Chevy Chase Board and then went into the Maryland Senate in 1955. Was Montgomery County changing pretty rapidly by then?

NORTHROP: It had changed then. Yes, it was changing pretty rapidly. Bethesda grew, and Silver Spring, too big areas. Before that they had been just little towns. Little isolated towns really. For example, there was a streetcar line up to Bethesda which ran along Wisconsin Avenue. And then a streetcar line which was developed by the Chevy Chase Land Co. to run from Chevy Chase, from Chevy chase down Connecticut Avenue, and that was the main street car line of the District of Columbia. And there wasn't hardly any development in the District of Columbia even. Way down to the Taft bridge over Rock Creek,

way down Connecticut Avenue. The only thing that was there was the streetcar line which ran to Chevy Chase, which was developed by the Chevy Chase Land Co. an early development. Senator Newlands of Nevada was instrumental in developing Chevy Chase as a planned community.

SCHRAG: So it was pretty much just along Connecticut Avenue until people started buying lots of automobiles.

NORTHROP: That's right.

SCHRAG: How did you experience the automobile coming into Montgomery County? Did that change life a lot?

NORTHROP: It changed it terrifically yes. Of course, the street railways were electrical then early on.

SCHRAG: To get into your own experience some, one of the things I noticed just reading your resume was that you were born in Maryland, you went to prep school in Virginia, then you went to law school in Washington. Do think that this experience of being in all three jurisdictions shaped your perspective about the regional city? That is one of the big themes, of course, regional cooperation.

NORTHROP: Yes it did. And my early experience with government did. I was a--I came back from prep school and went to George Washington. I was elected to the Chevy Chase Board of managers. They thought they were voting for my father. I was about 20 years old. That was the governing body of Chevy Chase, and it was the first managed area. They had a village manager, Mr. Parks. It was when the Depression came along. Roosevelt was elected President. He started a lot of the alphabetical agencies. While going to school, going to law school, I was--had become connected with the home owners Loan Corp., one of his alphabetical agencies to aid the Depression situation. I went to law school in the evening at George Washington. I had this job in the daytime. I was also elected to the, what they called Chevy Chase citizens' committee of Chevy Chase. I also ran for the, in the 1940's I guess it was, for the Senate of Maryland and was finally elected. When I was elected, I changed the situation in Chevy Chase so it became a full township. We have a manager before that. The first village had the citizens committee that ran it. The organization was called Citizens Committee. I had that changed to the board of managers. The ordinary person was known as the mayor, who was elected by the board, who was elected by the citizens. Then the manager ran the village: garbage collection, and we had a two-man police force, and things like that that gradually developed over there. So it was a full-blown little village. I changed a lot of the laws which had to do with setting up entities like that by the legislature of the state of Maryland . The manager died --I have forgotten if it was after the war or before the war --I became Village Manager . In any rate I did , I changed the aspect of the village a lot. One of the small entities in Maryland. I had that job until was appointed to this court in 1961, I guess it was.

SCHRAG: Given the concerns of Chevy Chase, you mentioned things like trash collection and local village issues, where does Transportation and transit fit in? Was it a concern of your constituents, people in Chevy Chase?

NORTHROP: Oh yes, the fact that most of them went to Washington--finally, electrical railroad which was originally set up by Senator Newlands and ran out Connecticut Avenue up to Kensington and beyond, I think, became motorized. Buses replaced the streetcars. Mass Transportation was an essential element to get into work, a lot of them went in their own automobiles and so forth and so on, but Mass transportation was quite an element.

SCHRAG: As I understand it, the effort to get some kind of coordination begins in 1954 when DeWitt Hyde and Joel Broyhill introduced legislation for some kind of presidential commission to look at the whole area. Virginia wouldn't agree, but but Maryland would, so Eisenhower vetoed it. Do you know why Maryland was more enthusiastic about this than Virginia?

NORTHROP: No, except that they were much more closely connected with Washington. Than Virginia. Remember that early on when the Federal proposal was made to set up a federal enclave that became the District of Columbia, Virginia was to give ten acres, I mean, I have forgotten how much land they were supposed to give.

SCHRAG: Something like 30 square miles.

NORTHROP: Virginia never gave it Maryland did. So the District of Columbia largely falls on what was Maryland land. We seem to have a closer physical connection, if not governmental one, with the District of Columbia. We were supposed to give a 10 mi. area. I think Maryland gave its section, which was across the Potomac River of course, and Virginia never did give its, as I understand it.

SCHRAG: Well they gave it and took it back.

NORTHROP: Is that what they did?

SCHRAG: Arlington used to be D.C. until 1846 I think. They took it back.

NORTHROP: I think that's true.

SCHRAG: My impression is that there were perfectly happy with that until around World War two and then you get a lot of suburban growth in Arlington, and all of these people who moved across the river suddenly realized that they had to deal with Washington again. One of my question is, it seems that there are a lot of people on the Maryland side who are interested in this issue. There is you, there's Sickles, there's Perry Wilkinson--they're all pushing toward some kind of agreement. On the Virginia side, pit the only person I've really identified as being very enthusiastic is Charles Fenwick.

NORTHROP: Yes. And he and I were the ones that formed up the--Senator Fenwick from Arlington. Absolutely.

SCHRAG: Could you tell me something about him? I don't have a lot of information about him personally, or what he stood for.

NORTHROP: He was, as I remember him, he had great vision. He believed in the formation of the metropolitan area and so forth. A Senator, state senator. I think he was from Arlington County, wasn't it?

SCHRAG: Yes.

NORTHROP: A man of some vision. I worked very closely with him in establishing the so-called Metro area and setting up, and setting things up as Interstate compacts. Because what we needed, remember the Congress of the United States legislated for the District of Columbia. What we had to do is set up an Interstate compact for all of the areas, where the commissioner of the District of Columbia, the DC commissioners, acted as a legislature for the District of Columbia. Really, Congress did. Then the legislature of Virginia and the legislature of Maryland. And we had to be very careful. It seems to me that around the San Francisco area there was a compact, and we modeled our area-- the legislature of Virginia and the legislature of Maryland and the District and the Congress of the United States as the legislature of the District of Columbia enact absolutely similar provisions to set up an interstate compact. I think this was his second Interstate compact in the country. The first one was between Maryland and Virginia. It had to do with fishing rights off the--between Virginia and Maryland. Down at the end of Maryland. Anyhow, we had too set this up. And then the Interstate compact had to be approved by the Congress of the United States so the Congress first of oh had to act as a legislature for D.C. and then finally approve the whole thing. After the Virginia and Maryland legislatures had acted upon it as a Congress of the United States. And that's how we set WMATA up.

SCHRAG: I know a little bit about the congressional debates in the U.S. Congress, but first you had to get through the Maryland--

NORTHROP: Absolutely

SCHRAG:. --was that hard for you as Sickles to do, or was Annapolis willing to let Montgomery and Prince George's do what they wanted?

NORTHROP: It was because of the fact that I was, of course, the majority leader of the Senate. I sort of ran the Senate. It wasn't very difficult for us to get.

SCHRAG: You were?

NORTHROP: I was majority leader of the Maryland Senate. And Sickles was quite influential in the House, so we didn't have a great deal of trouble. But we did have trouble in Virginia because of the Senator in Virginia. We worked that out with Governor Ormand and so forth and so on to get it passed in Virginia. The laws had to be exact the verbatim similar, by the Congress in its capacity as the legislative body of the District of Columbia, and the legislatures of Maryland and Virginia. We had some difficulty with some senators in Virginia interjecting little things. We had to hogtie him literally before we

could get it through but we did. Then it had to be approve the overall. It was passed individually by the Virginia and Maryland, that approved by Congress as a whole, as the Congress of the United states. So it wasn't an easy thing to do.

SCHRAG: Do you remember how you first got in touch with Fenwick, or other Virginia legislators? Because before then, there wasn't really any institution.

NORTHROP: There wasn't any institution, and the way of doing it at all. I was interested and Fenwick is interested. We had to deal as a whole with the District Columbia. And of course the District, most of it wasn't what had been Maryland. We had have close cooperation between counties around there for sewerage and everything, and transportation particularly. I realized that, and we set this thing up.

SCHRAG: Were you dealing with Robert McLaughlin?

NORTHROP: Oh yes!

SCHRAG: Could you tell me something about him?

NORTHROP: I certainly will. Robert McLaughlin--I had known him for some time. Before the war, I've forgotten it right now but I knew him. Then during the war he was in the North African invasion. He was in the Navy, and I was in the Navy too. Then he was instrumental in doing something over in Casablanca. I was working with him there. So after the war, he became--he was appointed, I think, by Eisenhower. Wasn't he?

SCHRAG: That sounds right.

NORTHROP: Commissioner for D.C.. At that time, I was in the Senate in Maryland and was up to my neck in working out this very difficult relationship: Virginia, Maryland, and the District of Columbia. In order to get finances for it and the rest, we had to have an interstate compact. So I modeled it on the earlier compact, on the fishing rights between Virginia and Maryland on the lower part of the Bay. I realized we had to have all that and we really worked it through. McLaughlin was the main one. He was appointed as the District of Columbia commissioner and was one of the main ones who helped set it up. He was quite a guy.

SCHRAG: It seems that there were a lot of politicians in every jurisdiction, but only a few--like you and McLaughlin and Fenwick and Sickles--who saw the region as a unit.

NORTHROP: You couldn't be more correct. And Fenwick was certainly that way. Fenwick, as a matter of fact, what I was first appointed to the bench, helped to conclude this thing and was terrifically influential in the establishment and carrying out of the very vital function between the jurisdictions. Because of the complexity of the federal government, as local legislature and then as Congress, dealing with them. Senator Alan Bible of Nevada was chairman of the Senate District committee. Most of the senators and congressman didn't like to be on the District Committee because it applied to Washington, and

they didn't get any benefit from it. But Alan Bible was a farsighted man. He helped immensely in the development of various joint boards that we had to set up. And set up with some authority. Of course, it didn't have any taxing power. That was necessary under the circumstances. Most of the money for the start of WMATA came from the Congress of the United States. McLaughlin and Sickles and Bible were terrifically influential. Bible was interested in it for some reason and helped it terrifically.

SCHRAG: You have any idea what that reason was? One of the things I am trying to figure out is what makes someone start taking in this regional way.

NORTHROP: Bible was influenced somewhat--the senators from Nevada, Newlands and the rest of them, who had been financially interested in the Chevy Chase Land Co. whether Bible was a carryover from that I don't know. Intellectually he was quite intrigued by the Interstate compact and things like that, which had not been used after all since the one between Maryland and Virginia way way back in the first formation of the country.

SCHRAG: Let me run just a couple of other names past you. One is a Frank Harper of Maryland, do you remember his role?

NORTHROP: Refresh my recollection.

SCHRAG: I don't know. These are just people who have come up. He might not have been very active, it's just that sometimes these committee lists--

Northrop . His name sounds very familiar . I haven't gone over this stuff.

SCHRAG: The other one was Maynard Magruder of Virginia.

NORTHROP: Yes he was in the Congress, wasn't he?

SCHRAG: I'm not sure. I know he was from Virginia, and I know he was on the first joint Transportation Commission I guess with Fenwick. But after that he disappears.

NORTHROP: He might not have been reelected or something.

SCHRAG: In the middle of this whole regulatory picture, you have the capital transit strike of 1955, and the transfer from the Wolfsons to O. Roy Chalk. It becomes D.C. transit. How did that affect Chevy Chase and your constituents, and your negotiations?

NORTHROP: It was transferred from chalk wasn't it?

SCHRAG: To chalk. In 1955. Well, in 1956, chalk shows up.

NORTHROP: Chalk was the owner of the capital transit to, of the rail line.

SCHRAG: Well, it was Wolfson until 1955, and then in the summer of 1955 , there's the strike for something like five weeks or so and all the streetcars shut down. After that Congress steps in, takes the license away from Wolfson and gives it to chalk. That's when chalk first enters the picture. This is right in the middle

of your try to set up some kind of Interstate regulation. I wonder how those two events interacted.

NORTHROP: I have no recollection.

SCHRAG: We talked about the Bible committee. He set up this committee, and you came in to testify a few times. One of the issues is that you didn't want the federal government to be directly regulating transit. You wanted this to be a local cooperative issue. It's like the beginnings of a regional home rule movement, compared to federal control. Did that seem like a big threat: the federal government would come in and regulate transit?

NORTHROP: Yes, at the time. There were people who were for it and people who wanted it localized. I wanted it localized. We had it localized, didn't we?

SCHRAG: That's why this is an important debate. It takes most of 10 years from the 19 fifties into the 1950's to transfer from a federal agency to local authority. I am trying to understand why that was so important to you in the late 1950's?

NORTHROP: The federal agencies were remote and they had a lot of other things to do. We wanted one that would focus on the very complicated situation between the District of Columbia and Virginia and Maryland.

SCHRAG: The other part of that issue was that from the beginning, the way these Interstate agreements are structured, it is one part Maryland, one part Virginia, and one part D.C.. A lot of people in D.C. were saying D.C. is larger than the suburbs--why should suburbs have a two to one majority against D.C.? Was that a problem that you remember?

NORTHROP: It wasn't one that I recall. There were a lot of different groups that wanted to take over. We felt that it should be more or less--some of us did, Fenwick and myself, some others--and local government so to speak. Of government we were establishing between the District of Columbia, Md., and Virginia. We prevailed ultimately, but there were an innumerable number of people, just sort of tangentially interested in this situation, and then they would move on.

SCHRAG: I am trying to get the picture and the most important players.

NORTHROP: Our idea was that any agency that would control this area should be established by the elected officials of the area, and not by a remote Congress or some group that just tangentially had an academic interest. We felt strongly in that connection, and we were the first group that ever did that. There were always citizens who took up--like a dog who at mealtime goes for his food and then forgets about it and goes on to something else. Groups like that, who took an academic interest in the area and that's all. And then they moved on.

SCHRAG: It wasn't enough to have an appointed board of citizens, because they might not sustain their interest. You wanted someone who was elected to that position and responsible.

NORTHROP: And subjected to elected officials.

SCHRAG: That's very helpful, because of course in D.C., a lot of time this these things are set up with Advisory commissions .

NORTHROP: That's exactly right.

SCHRAG: There will be five citizens of Representatives on those from the District of Columbia and Maryland and so forth. But I can see that people might not be as responsible and have the sustained interest as someone who was responsible to an electorate. OK , that's quite helpful . The other thing that is going on--there are so many things' happening in the late 1950's that it is hard to straighten them out--

NORTHROP: We started an interest in it at that time. You must keep in mind this distinction: we wanted the elected, responsible people to take an interest in the formation of this group, of this entity. And have it responsible to the states or the District. There were a loss of academic people, I mean, people of academic bent, who were just casually interested in it as something, and it they would just fool with it for a while and then just drop it.

SCHRAG: These were people in the think tanks?

Northrop some think tanks yes.

SCHRAG: I am not quite sure whom you are referring to. I know they come in later: people doing consulting Studies, and it an edge there are all the railroad buffs who say, I think we should have a cable car because that is what they have in San Francisco. Someone with a crazy idea but without any sort of professional or political credentials.

NORTHROP: And not studying the effect it would have on the community. We wanted people who set the government up to, who set that Mass Transportation or anything up, to have a vested interest in that.

SCHRAG: Do you recall dealing with Harland Bartholomew and his planning study?

NORTHROP: Yes.

SCHRAG: He is an example of someone who had no real--he was not elected--

NORTHROP: No!

SCHRAG: He was not even from Washington, he was going back and forth to St. Louis.

NORTHROP: That's right, and keep was a well known city planner.

SCHRAG: He was running this whole transportation survey. Do you recall having any input to that, or was that really his show?

NORTHROP: I don't know if we had much input, but we had some control which he didn't particularly like.

SCHRAG: In what issues?

NORTHROP: Well, I have forgotten. I don't know what it was but I remember that name. He was academically interested in this. There were a loss of groups like that. Congress would set them up yet they would have absolutely no control,

governmental control, in Maryland or the District of Columbia. Or in Virginia.

SCHRAG: All of this comes together in the National Capital Transportation Act of 1960. Do you remember the drafting of that act? Because that's the one that first puts into law--it ratifies the first compact, the regulation contact that sets up the Washington Metropolitan area Transit Commission--and it provides that in the future you can have another compact that becomes WMATA. I don't quite know how those provisions got into the law. Do you have any recollection of who drafted that?

NORTHROP: I have forgotten. Refresh my recollections more.

SCHRAG: This is in the tail end of the Eisenhower administration. Bartholomew publishes his plan that includes a Alper's report on compacts as part of the plan. The one part that Bartholomew was willing to give to the locals was the legal part. I guess Albert drafted that, and you said you were involved as well.

NORTHROP: Alper was our selection, I think.

SCHRAG: I do not know who a originally hired him. Was it Sickles?

NORTHROP: It might have been Sickles.

SCHRAG: It might have been.

NORTHROP: He was in Congress then.

SCHRAG: Alper comes up with the report, and Bartholomew likes that. So Bartholomew's staff sits down with Alper, and maybe Senator Bible, and it the right up this law that will implement the actions of the Bartholomew report. Bartholomew recommends putting in freeways everywhere and also a sort of two line rail system, crossing, that includes one line down Wisconsin Avenue and another down Connecticut Avenue. They are going to set up a federal agency--the National Capital Transportation Agency--but as a temporary agency, and then give it over to the locals. That's one provision. Eventually, it will go into a local compact Authority. Only if the locals are able to negotiate in time. It almost seems there is a race. That is, if the National Capital Transportation Agency, the federal agency, the is ready to dig before the locals are ready to sign a compact, that it would be federal. But if your group signed the compact first and got it passed through all the legislatures, then it would be local. So there is that race set up in the law. I am trying to understand how that happened.

NORTHROP: There was always a group that was really out of control. Like the D.C. government. And to take over Maryland and Virginia. Of course, Maryland and Virginia didn't want that. We had already given much more than Virginia to the District of Columbia. Anything that had to be done had to go through the Maryland legislature too. I was able to control that. And Fenwick was able to control the Virginia legislature. Between the two of us we held off these forces, and those plans that weren't approved from the citizens themselves.

That played a big part in this thing, because a lot of planners would come down there and visit. Bartholomew was an example.

SCHRAG: Another provision in that law, was this so-called Northwest freeze. It said they wouldn't build a Northwest freeway down Wisconsin Avenue until some years in the future, and they would have a chance to study it. That's, I imagine, would have affected your constituents in Bethesda, among other things. Do you remember having any input in that, or who came up with that idea? The other thing that happens in the late 1950's is you form, with McLaughlin and some others, the Washington Metropolitan regional conference. That later becomes a the Council of governments. Do you recall how that started? Whose idea that was?

NORTHROP: McLaughlin, I think, was probably the one. Fenwick and myself were instrumental always in making sure that--because McLaughlin, as I recall, didn't stay through the whole thing.

SCHRAG: Right, he was replaced with Tobriner as president of the Board of commissioners. I guess after Kennedy was elected.

NORTHROP: He was appointed by Eisenhower. McLaughlin was a visionary, there's no doubt about it. He was immensely influential and set the whole thing up. Because he was full time commissioner of the District of Columbia, but after he left there wasn't much of--he died, didn't he?

SCHRAG: I am not sure. I will look that up. I actually do not know very much about him, but now you are giving me some ways to look for him. So she was working full time, whereas your state legislature position was part time?

NORTHROP: Oh yes .

SCHRAG: And that would be true of Fenwick as well?

NORTHROP: Yes.

SCHRAG: That's a very interesting distinction that I hadn't come up with. So she might have been sitting there in the District Building saying, I have got to invite some people in from Virginia, I have got to invite some people in from Maryland, and set up some kind of network.

NORTHROP: My local law office was right across the street from the District Building. My Washington office was. So we had lunch together and did a lot of things together. And a lot of this planning we were able to do together because we were close.

SCHRAG: Were you still at Southern Railway then? Sorry, your father was at Southern Railway.

NORTHROP: I was practicing law and then, with Lambert. This was after the war: Lambert, Hart, and NORTHROP: George Hart later became the District Judge for the District of Columbia, and Arthur Lambert was my partner. We had offices in Rockville.

SCHRAG: Did Fenwick have a downtown office? Do you know if Fenwick was downtown?

NORTHROP: Yes, he had a downtown office. Fenwick was a patent lawyer.

SCHRAG: This is fascinating. I think of these people as sitting in their separate--one guy is in Richmond, and one is in Annapolis. But really, you are all down there on Pennsylvania Avenue everyday. That change is my whole understanding of this group. So it wasn't a big trip for you, just across the street to the District Building.

NORTHROP: No! Just across the street to the District Building. And Fenwick it was a patent lawyer with offices in the District of Columbia.

SCHRAG: And McLaughlin was a lawyer too. So you had a bunch of lawyers sitting around at lunch, and you could just sit down and figure out how to cooperate.

NORTHROP: That's right.

SCHRAG: This is a part of history that doesn't get put into the congressional hearings.

NORTHROP: McLaughlin was a lawyer also but he was also a full-time commissioner.

SCHRAG: And you knew him from the war. Because the other thing is, most of the people who formed Metro--engineers, architects, politicians, lawyers--were all junior officers during World War two. That's the other thing I found, there is this common experience: you in the Navy, Sickles in the Army, Cody Pfanstiehl was in the Air Force. Harry Weese, the architect, was in the Navy. The engineers were Navy.

NORTHROP: McLaughlin was Navy.

SCHRAG: Then later, of course, you have these Corps of Engineers types. But it's almost a generational project, that is, there are all men of pretty much your age. Coming together, a lot of them lawyers, had this World War II experience, so they had this common ground that I think helps people cooperate.

NORTHROP: I think they're probably was. Fenwick was of course also a state senator like I was. And McLaughlin was interested in forming the government area. He was also influential in getting Congress to act and help us out. Senator Bible on his own was interested because of the fact that his predecessor had been instrumental in establishing a Chevy Chase.

SCHRAG: Very helpful.

NORTHROP: He was immensely influential in getting federal money, getting federal interest.

SCHRAG: The other person who I understand it might have been involved in this was Fritz Gutheim.

NORTHROP: Fritz Gutheim was an intellectual, rather than having any official background or any connection. He was one of the people who kind of floated

around. He was interested in it , the formation , and had an academic interest in it.

SCHRAG: Later on, he sets up the Washington Center for Metropolitan studies, and start saying some not very complimentary things about the regional conference. There is almost a cultural clash between the political people and the intellectual, academic types.

NORTHROP: That's right. Fritz was strictly academic.

SCHRAG: This is a very interesting. He gets appointed to the board of the federal agency in that sort of advisory role, but isn't responsible to an electorate. This is just the sort of thing that you were worried about--

NORTHROP: Exactly.

SCHRAG: .--in the 19 50's. Someone like Gutheim, who doesn't have connections on the ground. I have it these pieces of a puzzle, and you have connected some of them in very helpful ways.

NORTHROP: He and I had a lot of clashes. He clashed with the doers, because he was way out in his thinking.

SCHRAG: Sometimes I read about the clashes: people testify it before Congress, and it some people will say one thing, and some people will say another. But I do not always understand why they are in conflict. One thing that you shared with Gutheim was this regional perspective. He had grown up in the District, gone to Maryland, I am not sure if he was a G W alumnus. But you had a common experiences.

NORTHROP: Yes, and a long, friendly relationship. But he was strictly, I mean greatly, academic. Kind of way up.

SCHRAG: One of the clashes is whether these groups you are going to set up, particularly the Transit Commission, he's going to be just about transit or whether it is going to be the beginning of a regional government. Very early on there is this discussion about whether this compact you are writing between Virginia, Maryland, and D.C., should it just be about transit or should we keep it open ended so we can pick up issues of water and pollution and may be other things as well. My impression is that because you had to get it passed through the Maryland and Virginia legislatures without a single word being changed you wanted to keep it as small and narrow as possible. Someone more academic, without that political sense, would say, oh, let's try to do everything.

NORTHROP: That is exactly right.

SCHRAG: There is a withdrawal from that most ambitious regional plan, for a very practical, political reasons. Were you getting a lot of comments from your constituents about this? Would people write to you, say dear Senator, we wanted to do something about this problem?

NORTHROP: Not too much, but whatever we did get was pretty powerful. Maybe wanted us to do too much that we knew the Legislature wouldn't accept. Or was something we felt would put in academic hands too much. Government is essentially practical, you have to have money to run things money to do things. People are afraid of too much control. There were a lot of academics who felt there should be an entity set up that had complete control so they can go ahead with it. So they can go ahead and put streets where they shouldn't be a a wouldn't be accepted or something like that and wouldn't be influenced by local elected officials. Academic people had no use for elected governments.

SCHRAG: One of the crossover people was Darwin Stolzenbach. He was very academic in his approach, but he ran for office in 1958 and lost. How would you characterize him on this academic versus political spectrum?

NORTHROP: Strictly academic.

SCHRAG: I do not know much about his 19 58 race, but would you characterize him as a political amateur?

NORTHROP: Yes, he was amateurish and academic.

SCHRAG: I had seen this as a federal local issue, and it is. You are saying there is this whole other dimension. The federal types, which include Gutheim and Stolzenbach and Bartholomew being very much removed. So it ties into this whole question of a home rule.

NORTHROP: Stolzenbach was academic. He ran for office but he never got elected. A lot of the academics didn't have much faith in elected government.

SCHRAG: You are sitting down there, having lunch with Charlie Fenwick and Robert McLaughlin and Carlton Sickles, and you are saying who are these people? There are just sitting there in their ivory tower telling people what to do. You know how things work around here.

NORTHROP: And have to live with that every day.

SCHRAG: The paradox, of course, is that the money is going to come not from your voters, most of the money is going to come from the federal government, from taxpayers in California and Michigan and Texas. At the same time you are saying will local people should be in control, people like Gutheim and Congressman whitener are saying, wait a second, it my people back in North Carolina are going to pay for this, I am going to appoint the people to run it.

NORTHROP: So what,? They weren't--they were academic as far as the people of North Carolina were concerned, too. They were removed from the elected officials who had to deal with the garbage, trash removal, and the police and the other things.

SCHRAG: In Chevy Chase, if someone knocked on your door at 10:00 at night, you were right there.

NORTHROP: You dealt with the mundane things of government, whereas they dealt with what government should be--way up high. We had enormous distrust of Stolzenbach, and I had grown up with those guys.

SCHRAG: One last figure I want to talk about here is John F. Kennedy. He changes everything in this story. He is the one who appoints Stolzenbach, he is the one who appoints Gutheim to the advisory board, he appoints Libby Rowe to the planning commission. He appoints Charles Horsky as his White House adviser. And at the same time, he appoints you to the federal bench here. Were you involved in the Kennedy campaign in 19 60? Did you know him personally?

NORTHROP: Yes, I knew him personally. There is a picture of him right around the corner.

SCHRAG: He was on the House District Committee prior to moving to the Senate. So he knew Washington pretty well, and seem to like the city a lot. How did you know him, and what was your impression?

NORTHROP: I campaign with him for Montgomery County Maryland when he came in , which was a pretty influential County. I went around with him and introduced him to people. I knew him pretty well. I never did ask him for this job. I was completely surprised. I didn't want it or need it or anything like that, and I had never thought of it. But it's the greatest job in the world. Its lifetime; you have to be impeached to get out of office. Really, it's the best job in the country for a lawyer.

SCHRAG: It seems that way. My wife is a lawyer, and she is clerking now.

NORTHROP: Who is she clerking for?

SCHRAG: She clerked for Judge Becker on the third Circuit last year, and now she is clerking for justice Souter in the Supreme Court.

NORTHROP: She's really getting along! A federal judge is most independent thing in the world, particularly a District Judge. I it had a chance to go up on the fourth Circuit, but I didn't take it. I'd liked trial work.

SCHRAG: We could have used you on the fourth circuit. The fourth circuit does some pretty weird things.

NORTHROP: I had a chance to go up when Howard winter, who was appointed after me--there were only two judges in Maryland, and Maryland had a terrible work load. All the federal bench. I'd liked trial work, and I didn't like appellate work. But some people academically think it's--

SCHRAG: It is almost the same distinction there: between the high theory, and the mundane real life politics. At the appellate well, it is not who did what to whom but who had the right to appeal it, and what the procedure was.

NORTHROP: And also, you are going over regurgitated stuff. You write to as many opinions as a federal district judge as the appellate judges do, really. Because you have to have an opinion for everything you do. I had a chance to go up to

the fourth Circuit but I didn't take it much to the anguish and regrets of the appellate court. I knew pretty well that they wanted to me up there but I didn't want to go, because of the fact you're going over regurgitated stuff all the time. You do that anyhow as a local judge. But you also sit in trials, and trials are immensely interesting.

SCHRAG: Did you ever talk to Kennedy about the National Capital Region and what he was planning to do? Having been in Georgetown all those years he must have had some opinions about what Washington should be like before he was elected.

NORTHROP: I never did talk to him about it. I talk to him about a lot of things; I can't remember if I did or not, although at the time when things came up I'd always solicited his vote. Not as president, but as Senator.

SCHRAG: That is all the prepared questions I have, but if you can think of anything that I should have asked, other people I haven't mentioned--

NORTHROP: I haven't been over this thing for a long time. This is my file, but I have given most of its away. The Transit Authority and stuff like that. I've got a lot of Post stuff about it but I don't think there is anything there you don't know about.

SCHRAG: I would like to look through it if I could. I will stop the tape now and looked through it. Thank you very much.

[end]